

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EMMANUEL ROSARIO,

Plaintiff,

-against-

COMMISSIONER CYNTHIA BRANN, *et al.*,

Defendants.

1:20-CV-9410 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

By order dated November 16, 2020, the Court directed Plaintiff, within thirty days, to submit a completed request to proceed *in forma pauperis* (“IFP application”) and prisoner authorization or pay the \$400.00 in fees required to file a civil action in this Court. That order specified that failure to comply would result in dismissal of this action. Plaintiff has not filed an IFP application and prisoner authorization or paid the fees. Accordingly, this action is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: January 20, 2021
New York, New York



COLLEEN McMAHON
Chief United States District Judge